

ORIGINAL

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

SUMNER SQUARE
1615 M STREET N.W.
SUITE 400
WASHINGTON DC 20036-3209

12021 326-7900
FACSIMILE
12021 326-7999

October 24, 2002

RECEIVED

OCT 24 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ex Parte Presentation

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Application by SBC Communications Inc, et al. for Provision of In-Region,
InterLATA Services in California, WC Docket No. 02-306*

Dear Ms. Dortch:

On behalf of SBC Communications Inc. ("SBC"), I am enclosing a copy of a letter dated October 23, 2002, from Cynthia J. Mahowald of SBC to attorneys at the Department of Justice's Telecommunications Task Force. The attachment to Ms. Mahowald's letter contains confidential information. Accordingly, pursuant to the Commission's rules governing confidential communications, I am enclosing one copy of this letter with the confidential enclosure. Inquiries regarding access to the confidential material submitted with this letter should be addressed to Jamie Williams, Kellogg, Huber, Hansen, Todd & Evans, PLLC, 1615 M Street, N.W., Suite 400, Washington, D.C., 20036, (202) 367-7819.

I am also writing to inform you that representatives of SBC met yesterday via telephone with FCC staff to respond to various questions relating to section 709.2 of the California Public Utilities Code and to the public interest standard in 47 U.S.C. § 271(d)(3)(C). The following people participated on behalf of the FCC: John Stanley, Renee Crittendon, and Jack Yachbes. The following people participated on behalf of SBC: Rebecca Sparks, Jared Craighead, Nina Nikolich, Martin Grambow, Cynthia Mahowald, James Young, Colin Stretch, and Geoffrey

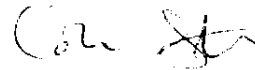
dt2

REDACTED – FOR PUBLIC INSPECTION

Klineberg. In addition, representatives of SBC met today in person and via telephone with FCC staff to address various questions relating to the pricing of unbundled network elements. The following people participated on behalf of the FCC: Rhonda Lien, Joanne Wall, Douglas Galbi, and Aaron Goldschmidt. The following people participated on behalf of SBC: Rebecca Sparks, Jared Craighead, Martin Grambow, John Mason, Travis Dodd, Andy Casten, Thomas Makarewicz, Jill Morlan, Scott Pearsons, John Scarborough, Richard Scholl, Colleen Shannon, Linda Vandeloop, and Geoffrey Klineberg.

In accordance with this Commission's Public Notice, **DA 02-2333** (Sept. 20, 2002), SBC is filing the original and two copies of the redacted version of this letter and its attachment. Thank you for your assistance in this matter.

Yours truly,



Colin S. Stretch

Attachment

cc: Renee R. Crittendon
Tracey Wilson
Lauren Fischbein
Brienne Kucerik
Phyllis White
Qualex International (redacted version only)



Cynthia J. Mahowald
Vice President and
General Counsel

SBC Telecommunications, Inc.
1401 I Street, NW
Suite 1100
Washington, DC 20005

October 23, 2002

Susan Wittenberg, Esq.
Lauren Fishbein, Esq.
Telecommunications Task Force
Antitrust Division
U.S. Department of Justice
1401 H Street, NW, Suite 8000
Washington, DC 20530

202.326.8868 Phone
888.522.8068 Pager
202.374.8868 Cellular
202.898.2414 Fax
cynthia.mahowald@sbc.com

Dear Susan and Lauren:

This letter follows up our call Tuesday, October 22, 2002, concerning the Mpower ex parte filed with the FCC on October 21st.

As an initial matter, Mpower's allegation that Pacific's wholesale bills are not auditable is incorrect. Mpower has elected to receive its bills in both paper format and electronic media. As set out in the Affidavit of Michael Flynn, ¶ 13, Pacific's electronic CABS bills follow the industry standard Billing Output Specification ("BOS") guidelines,¹ and provide the same information contained on the CLECs paper bill. This industry-standard format permits CLECs to validate their billing information.

Mpower's allegation that Pacific's bills do not permit it to verify that UNE loops are correctly billed by zone also is incorrect. For each loop billed in a given month, Pacific's bill data enables CLECs to identify the circuit ID, as well as the central office serving the end-user. A CLEC can confirm that Pacific has assigned its UNE loops to the appropriate zones by comparing the zone assignments for the central offices serving its end-users with the zone assignments ordered by the California PUC.²

Attached to this letter is a confidential excerpt from the Mpower bill dated September 1, 2002. The information in bold on line 23 reflects the circuit ID for a particular loop: the central office serving the end user is identified in bold at line 34,³ and the USOC and zone assignment for the loop appear in bold at line 38. This information is provided to Mpower in the Customer Service Record (CSR) section of the bill, for each loop billed in a given month.

If you have any other questions, please give me a call.

Sincerely,

Enclosure

cc: Phil Saunty, Esq.
Brianne Kucerik

¹ As part of the OSS Test, Cap Gemini specifically found that Pacific's bills "complied with the detail and format as indicated in the Telcordia CABS Billing Output Specifications." See, Flynn Aff. at ¶ 16.

² The zone assignments ordered by the CPUC are available in Accessible Letters CLEC00-039 (Feb. 16, 2000) (App. G, Tab 26) and CLECOO-116 (May 1, 2000) (App. G, Tab 29). These assignments also were appended to the CPUC's February 21, 2002 Order Adopting Geographically Deaveraged Unbundled Network Rates for Pacific Bell Telephone Company, Decision 02-02-047 (App. C, Tab 75).

³ Page 2 of the attachment to this letter is the "English Language Glossary" which accompanies Mpower's bill. The abbreviation "CKL 02," which appears at line 34 of the bill page (page 1 of the attachment), refers to the "Circuit Location" Field Identifier (FID) of the central office serving the end user. Specifically, the "OCL" (Office Common Language Code) FID (which follows CKL 02) precedes the 8 character CLLI code for the central office serving the end user. The Zone assignment for the loop is based on this central office location.

22		ENGLISH LANGUAGE GMSSARY
24	ACA	ACCESS CUSTOMER ADDRESS
25	ACN	ACCESS CUSTOMER NAME
26	ACNA	ACCESS CUSTOMER NAME ABBREVIATION
27	ACTL	ACCESS CUSTOMER TERMINAL LOCATION
28	CCNA	CUSTOMER CARRIER NAME ABBREVIATION
29	CKL	CIRCUIT LOCATION
30	CKR	CIRCUIT REFERENCE
31	CLS	COMMON LANGUAGE CIRCUIT IDENTIFICATION -
32		SERIAL NUMBER FORMAT
33	DMT	DESIGNATED MAGNETIC TAPE ACCOUNT
34	ZCFA	EXPANDED INTERCONNECTION CROSS CONNECT
35	LAT	LOCAL ACCESS TRANSPORT AREA IDENTIFICATION
36	LOC	LOCATION (BUILDING, FLOOR, OR ROOM)
37	NCI	NETWORK CHANNEL INTERFACE
38	OCL	COMMON LANGUAGE OFFICE CODE
39	OCN	OPERATING COMPANY NUMBER
40	PIU	PERCENT INTERSTATE USAGE
41	SA	SERVICE ADDRESS
42	SCO	EXCHANGE AND CENTRAL OFFICE
43	SN	SUBSCRIBERS NAME
44	ZNC	NETWORK CHANNEL
45	ZONE	RATE ZONE INDICATOR
47	BCLCS	BUSINESS CONTRACT LINK SERVICE
48	B1LCS	BUSINESS CONTRACT LINK SERVICE
49	CCDSO	EISCC PER VOICE GRADE ANALOG TERMINATION
50	LKB	BASIC LINK
51	LKB2Q	NON-REPEATER ISDN LINK CHANNEL TERMINATION
52	NRBXW	REMOVAL OF BRIDGED TAP
53	NRBXZ	REMOVAL OF LOAD COIL
54	XSLAX	2WR ARSL CAPABLE LOOP
55	XSLSX	2WR SDSL CAPABLE LOOP
56	XSL1X	2WR NON REPEATER ISDL
57		CAPABLE DIGITAL LOOP
58		END OF RECORD